

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 11 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 21, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 20 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 21, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 18 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 21, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 14 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 21, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 22 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 21, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 25 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 22, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 27 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

FIFTEENTH DAY

(Wednesday, June 23, 1937)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

The following Senators were absent and excused:

Head	Spears
Nelson	Weinert
Redditt	

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Roberts.

Leaves of Absence

Senators Weinert, Redditt and Spears were granted leaves of absence for today, on account of important business, on motion of Senator Burns.

Senator Nelson was granted leave of absence for today, on account of important business, on motion of Senator Oneal.

Senator Head was granted leave of absence for today and the remainder of the week, on account of illness, on motion of Senator Burns.

Report of Standing Committee

The report of the Committee on Finance on H. B. No. 12 was submitted by the vice-chairman of the committee.

**Report of Conference Committee on
Senate Bill No. 10**

Senator Woodruff submitted the following report of the Conference Committee on S. B. No. 10:

Committee Room,
Austin, Texas, June 22, 1937.
Hon. Walter F. Woodul, President of
the Senate.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sirs: We, your Conference Committee, appointed by the House and the Senate, respectively, to adjust the differences between the House and the Senate as to S. B. No. 10, have had same under consideration, adjusted such differences, and beg leave to report back to the House and the Senate that said bill be finally passed in the form attached hereto, and made a part of this report.

Respectively submitted,
WINFIELD,
WOODRUFF,
MOORE,
BURNS,

On the part of the Senate.

GRAVES,
AMOS,
JONES of Wise,
CAUTHORN,
METCALFE,

On the part of the House.

S. B. No. 10.

A BILL

To Be Entitled

An Act correcting certain errors in S. B. No. 139, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, appropriating Thirty-five Thousand Dollars (\$35,000.00) to be available September 1, 1937, to purchase dormitory and equipment for Sul Ross State Teachers College, Alpine, Texas appropriating Thirty Thousand Dollars (\$30,000.00) to be available during the year ending August 31, 1938, for repairs, extensions, and equipment to the library building at the North Texas Agricultural College, Arlington, Texas, providing for certain salaries to be on a nine months' basis and for maintenance, appropriating for construction of science building at Texas College of Arts and Industries, Kingsville, Texas, One Hundred Thousand Dollars

(\$100,000.00) for each of the years ending August 31, 1938, and August 31, 1939, said appropriations to be out of any funds in the Treasury of the State of Texas, not otherwise appropriated, and repealing certain sections, terms, and provisions of S. B. No. 139, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, amending H. B. No. 352, of said Acts of said Legislature and making an appropriation to the Dental Board, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby appropriated out of the Treasury of the State of Texas, out of any funds not otherwise appropriated, the sum of Thirty-five Thousand Dollars (\$35,000.00) for the purchase of a girl's dormitory and equipment for Sul Ross State Teachers College, Alpine, Texas.

Sec. 2. There is hereby appropriated out of any funds in the Treasury of the State of Texas, not otherwise appropriated, the sum of One Hundred Thousand Dollars (\$100,000.00) for the year ending August 31, 1938, and One Hundred Thousand Dollars (\$100,000.00) for the year ending August 31, 1939, for the purpose of constructing a science building at the Texas College of Arts and Industries, Kingsville, Texas, in lieu of the \$102,500.00 appropriated for such purpose for each of said years in S. B. No. 139, Acts of the Regular Session, Forty-fifth Legislature of Texas, 1937, which appropriation of said Regular Session is hereby repealed.

Sec. 3. There is hereby appropriated for the use of the State Dental Board all fees collected under Senate Bill No. 10, passed by the Forty-fourth Legislature, said fees to be used for the maintenance and expense of the Dental Board from May 15, 1937, to August 31, 1937.

All balances remaining in said fund on August 31, 1937, are hereby appropriated for the use of the Dental Board for the biennium, beginning August 31, 1937, and ending August 31, 1939.

Sec. 4. There is hereby appropriated out of the Treasury of the State of Texas, out of any funds not otherwise appropriated, for the support, maintenance and operation of

the North Texas Agricultural College, Arlington, Texas, for the years ending August 31, 1938, and August 31,

1939, as hereinafter indicated, and for the purpose of repairing, improving, and equipping the buildings at said institution the following:

	For the Years Ending	
	August 31, 1938	August 31, 1939
Salaries (9 months)		
Agriculture		
Professor and head of department.....	\$ 3,000.00	\$ 3,000.00
Professor	2,400.00	2,400.00
Associate professor (one-half time)	1,000.00	1,000.00
Biology		
Professor and head of department.....	3,000.00	3,000.00
Professor	2,700.00	2,700.00
Associate professor	2,400.00	2,400.00
Business Administration		
Professor and head of department.....	3,000.00	3,000.00
Professor	2,400.00	2,400.00
Chemistry		
Professor and head of department.....	3,000.00	3,000.00
Professor	2,500.00	2,500.00
Associate professor	2,200.00	2,200.00
Associate professor	2,200.00	2,200.00
Engineering		
Professor and head of department.....	3,000.00	3,000.00
Professor	2,500.00	2,500.00
Professor	2,400.00	2,400.00
Associate professor	2,300.00	2,300.00
Associate professor	2,200.00	2,200.00
Associate professor	2,200.00	2,200.00
Associate professor	2,200.00	2,200.00
Associate professor	2,000.00	2,000.00
English		
Professor and head of department.....	3,000.00	3,000.00
Professor	2,400.00	2,400.00
Professor	2,400.00	2,400.00
Associate professor and Dean of Women.....	2,400.00	2,400.00
Associate professor	2,100.00	2,100.00
Associate professor	2,000.00	2,000.00
Associate professor	1,800.00	1,800.00
Geology		
Professor and head of department.....	2,700.00	2,700.00
History, Government and Economics Professor head of department and Registrar..	3,000.00	3,000.00
Professor	2,700.00	2,700.00
Associate professor	2,200.00	2,200.00
Associate professor	2,200.00	2,200.00
Home Economics		
Professor and head of department.....	2,700.00	2,700.00
Associate professor	2,100.00	2,100.00
Mathematics		
Professor and head of department.....	3,000.00	3,000.00
Professor	2,400.00	2,400.00
Associate professor	2,200.00	2,200.00
Associate professor	2,200.00	2,200.00

	For the Years Ending	
	August 31, 1938	August 31, 1939
Modern Languages		
Professor and head of department.....	2,700.00	2,700.00
Associate professor (including history).....	2,250.00	2,250.00
Fine Arts		
Professor and head of department.....	2,700.00	2,700.00
Professor	2,700.00	2,700.00
Associate professor	2,100.00	2,100.00
Associate professor	2,000.00	2,000.00
Assistant professor	1,800.00	1,800.00
Assistant professor	1,800.00	1,800.00
Physical Education		
Professor and head of department.....	2,700.00	2,700.00
Associate professor (for women).....	2,200.00	2,200.00
Physics		
Professor and head of department.....	3,000.00	3,000.00
Psychology and Sociology		
Associate Dean and head of department.....	3,300.00	3,300.00
Vocational Education		
Professor and head of department.....	2,700.00	2,700.00
Summer School	5,000.00	5,000.00
Total Instructional Salaries.....	\$ 129,050.00	\$ 129,050.00
Administration (Twelve months)		
Librarian	\$ 2,400.00	\$ 2,400.00
Assistant Librarian	1,400.00	1,400.00
Dean	4,500.00	4,500.00
Secretary to the Dean	1,800.00	1,800.00
Business Manager	2,400.00	2,400.00
Assistant Business Manager.....	2,100.00	2,100.00
Secretary to Business Manager.....	1,500.00	1,500.00
Commandant (nine months)	900.00	900.00
Secretary to Commandant	1,200.00	1,200.00
Secretary to Registrar and Associate Dean..	1,350.00	1,350.00
Stenographer (nine months)	720.00	720.00
Superintendent of Buildings and Grounds....	2,000.00	2,000.00
Engineer and Plumber	1,440.00	1,440.00
Yardman	1,020.00	1,020.00
Caretaker of Greenhouse	480.00	480.00
Night Fireman (six months)	600.00	600.00
Carpenter and Repairman	1,680.00	1,680.00
Janitors, none exceeding \$75.00 per month..	2,700.00	2,700.00
Night officer	900.00	900.00
Farm Foreman	1,440.00	1,440.00
Caretaker of Gymnasium and curator of Equipment	1,000.00	1,000.00
Curator of Armory	360.00	360.00
Poultryman	900.00	900.00
Student Labor	2,000.00	2,000.00
Total Administration Salaries	\$ 36,790.00	\$ 36,790.00
Total Salaries and Summer School.....	\$ 165,840.00	\$ 165,840.00
Departmental Maintenance	16,644.00	16,644.00
Total Salaries and Maintenance	\$ 182,484.00	\$ 182,484.00
Library Building	30,000.00	
Grand Total, North Texas Agricultural College	\$ 212,484.00	\$ 182,484.00

Sec. 5. That Pages 50, 51, 52 and 53 of S. B. No. 139, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, including all appropriations therein made for the support, maintenance, salaries, repairs and improvements of buildings, at said North Texas Agricultural College, Arlington, Texas, are hereby repealed.

Sec. 6. In addition to the appropriation made under the provisions of H. B. No. 352, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, there is hereby appropriated out of any funds in the State Boiler Inspection Fund, not otherwise appropriated, the sum of Ten Thousand Dollars (\$10,000.00) for each of the years ending August 31, 1938, and August 31, 1939, for the salaries and the expenses of inspectors, clerks, and stenographic hire to administer the terms and provisions of said Act. The appropriations herein made shall be, and become, available to the Commissioner of Labor in the Bureau of Labor Statistics of the State of Texas, and he is hereby authorized and directed to expend such appropriation, or so much thereof as may be necessary, for any of the foregoing purposes.

Sec. 7. The fact that S. B. No. 139, Acts of the Regular Session, Forty-fifth Legislature of Texas, 1937, as same was enrolled and signed by the President of the Senate and the Speaker of the House of Representatives and filed with the Governor, provided salaries on a "twelve months" basis, instead of "nine months" and failed to include Thirty Thousand Dollars (\$30,000.00) for improvements, repairs, and equipment for the library at North Texas Agricultural College, Arlington, Texas, included One Hundred Two Thousand Five Hundred Dollars (\$102,500.00) each year for science building at Texas College of Arts and Industries, Kingsville, Texas, when such items should have read One Hundred Thousand Dollars (\$100,000.00) for each of the years ending August 31, 1938, and August 31, 1939, that said bill did not include an item of Thirty-five Thousand Dollars (\$35,000.00) for the purchase of a girls' dormitory and equipment for Sul Ross State Teachers College, Alpine, Texas, as all of these matters were agreed upon by

the House of Representatives and the Senate, through their Conference Committees on said bill and the fact that there is no way to correct said errors except through the enactment hereof, and the further fact that it will be necessary to employ several inspectors, clerks, and stenographers to administer the terms and provisions of the Act referred to in Section 6 hereof, that there are more than fifty thousand (50,000) boilers in the State of Texas, to be inspected under the provisions of said Act, that the Seven Thousand Five Hundred Dollars (\$7,500.00) made available annually to the Commissioner of Labor under the provisions of said H. B. No. 352 is inadequate to administer such Act, and that many boilers now in use in various sections of the State are a hazard to life and property, and the further fact that the appropriation included in S. B. No. 10, passed by the Forty-fourth Legislature expired on the 15th day of May, 1937, makes it imperative that this appropriation be passed so that the Dental Board may perform its duties as required by law, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be, and the same is hereby suspended, and that this Act shall be in force and effect from and after its passage, and it is so enacted.

Question—Shall the report be adopted?

The report was adopted by the following vote:

Yeas—21

Alkin	Oneal
Beck	Rawlings
Brownlee	Redditt
Burns	Shivers
Collie	Small
Cotten	Stone
Davis	Van Zandt
Holbrook	Westerfeld
Isbell	Winfield
Lemens	Woodruff
Neal	

Nays—2

Hill	Sulak
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Absent

Moore	Pace
Newton	

Absent—Excused

Head	Spears
Nelson	Weinert
Roberts	

Senate Concurrent Resolution No. 8

Senator Pace offered the following resolution:

Whereas, The citizens of New York and San Francisco are holding mammoth world fairs in 1939, to be known as the New York World's Fair and the Golden Gate International Exposition; and

Whereas, The value of world fairs in advertising the historical, scenic, recreational, industrial and agricultural resources of the various states of the nation has been demonstrated by the Texas celebrations in 1936 and the present Greater Texas and Pan-American celebration at Dallas and the Frontier Fiesta at Fort Worth; and

Whereas, Texas now leads every other state in the nation in the value of its tourist attractions as well as industrial possibilities, and should, therefore, take advantage of every opportunity to tell its story to the world; and

Whereas, The New York and San Francisco expositions offer an opportunity to advertise Texas attractions and resources; now, therefore, be it

Resolved, By the Senate, the House concurring, That the Texas State Planning Board be and it is hereby authorized to represent the State officially in primary conferences looking to the feasibility and advisability of appropriate exhibits at such expositions; and to study the cost of such exhibits and the proper representation of Texas at these world's fairs; and that said State Planning Board be and it is hereby requested to report its findings and recommendations to the next Session of this Legislature.

The resolution was read.

On motion of Senator Pace and by unanimous consent, the rule requiring concurrent resolutions to be referred to a committee was suspended and the resolution considered at this time.

The resolution was adopted.

House Concurrent Resolution No. 26

The President laid before the Sen-

ate, as the unfinished business, for consideration at this time, the following resolution:

H. C. R. No. 26, Relating to consideration of loan and cash surrender values of life insurance policies in determining eligibility for old-age assistance.

On motion of Senator Rawlings, the resolution was tabled subject to call.

Senate Bill No. 24 on Second Reading

On motion of Senator Neal and by unanimous consent, Senate Rule No. 31a was suspended, to permit consideration of S. B. No. 24 at this time.

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 24, A bill to be entitled "An Act to amend H. B. No. 557, Acts of the Regular Session, Forty-fifth Legislature, by striking out all of Sections 9, 9a, 9b, and 9c, and substituting in lieu thereof a new Section to be Section 9; fixing the administration of H. B. No. 557, Acts of Regular Session Forty-fifth Legislature and H. B. No. 99, Acts of Regular Session Forty-fifth Legislature; amending H. B. No. 99, Acts of Regular Session Forty-fifth Legislature by repealing Section 26 of said bill; providing for the giving of a surety bond of Five Thousand (\$5000) Dollars, contingent upon faithful performance of all provisions of H. B. No. 99, Acts Regular Session Forty-fifth Legislature and H. B. No. 557, Acts Regular Session Forty-fifth Legislature, and the licensing of any person under both Acts on the payment of only one license fee; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 24 on Third Reading

Senator Neal moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 24 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Beck	Newton
Brownlee	Oneal
Burns	Roberts
Collie	Shivers
Davis	Stone
Hill	Sulak
Holbrook	Van Zandt
Isbell	Westerfeld
Lemens	Winfield
Moore	Woodruff
Neal	

Nays—3

Aikin	Rawlings
Cotten	

Present—Not Voting

Pace

Absent

Small

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

Senate Bill No. 26 on Second Reading

On motion of Senator Winfield and by unanimous consent, Senate Rule No. 31a was suspended, to permit consideration of S. B. No. 26 at this time.

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 26, A bill to be entitled "An Act providing that Galveston Street between First and Second Streets in the unincorporated town site of Balmorhea, Reeves County, Texas, be closed so that a school building may be erected across said street and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 26 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Holbrook
Beck	Isbell
Brownlee	Lemens
Burns	Moore
Collie	Neal
Cotten	Newton
Davis	Oneal
Hill	Pace

Rawlings	Sulak
Roberts	Van Zandt
Shivers	Westerfeld
Small	Winfield
Stone	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

Senate Bill No. 28 on Second Reading

On motion of Senator Davis and by unanimous consent, Senate Rule No. 31a was suspended, to permit consideration of S. B. No. 28 at this time.

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 28, A bill to be entitled "An Act validating, ratifying, confirming and legalizing all time warrants heretofore authorized by the governing bodies of independent school districts in the State of Texas having a scholastic enumeration of not less than 769 and not more than 775 according to the last preceding scholastic enumeration, validating all proceedings heretofore had in connection with the issuance of such time warrants, including the levy of and provision for a tax for the payment of principal and interest on said time warrants as the same mature and authorizing such governing bodies of said independent school districts to do any and all things necessary and requisite in the issuance, sale and delivery of said time warrants; providing that such time warrants, when issued and delivered, shall constitute legal and binding obligations of such independent school districts; providing that this Act shall not apply to any proceedings or time warrants, the validity of which is being contested in any suit pending at the effective date of this Act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 28 on Third Reading

Senator Davis moved that the constitutional rule requiring bills to be read on three several days be sus-

pended and that S. B. No. 28, be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

Senate Bill No. 29 on Second Reading

On motion of Senator Westerfeld and by unanimous consent, Senate Rule No. 31a was suspended, to permit consideration of S. B. No. 29 at this time.

The President laid before the Sen-

ate, on its second reading and passage to engrossment:

S. B. No. 29, A bill to be entitled "An Act amending Chapter 141, Acts Fortieth Legislature, Regular Session, and House Bill No. 321, Acts Regular Session, Forty-fifth Legislature, creating the office of the Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority, and duties of such officers; fixing and authorizing payment of their salaries, travel, and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; repealing all laws and parts of laws in conflict therewith; providing a saving clause, and declaring an emergency."

The bill was read second time.

Senator Westerfeld offered the following amendment to the bill:

Amend Section 2 of Senate Bill No. 29, by striking out the first ten lines and to and including the word General in the eleventh line, and inserting in lieu thereof the following:

"The Legislature, in its regular biennium appropriation bill, shall determine the number of Assistant Veterans' State Service Officers, and such additional employees as may be determined to be necessary, and when so determined, the Adjutant General, with the advice and consent of the Governor, shall make such appointments, who shall be appointed to serve for a term of two (2) years, commencing at the beginning of the biennium, and shall serve for said biennium unless removed for cause.

"In no event shall any officer or employee be appointed unless authorized in the regular biennium appropriation bill."

The amendment was adopted.

Senator Westerfeld offered the following amendment to the bill:

Amend Section 5 of Senate Bill No. 29, by adding after the words State of Texas, in the fifth line the following: "under the rules and regulations of the Board of Control governing eleemosynary institutions and under the rules and regulations

of the Texas Prison Board governing the Texas Prison System."

The amendment was adopted.

Senator Westerfeld offered the following amendment to the bill:

Amend Section 8 of Senate Bill No. 29, by adding after the word suspended in third line from bottom of page the following: "and the same is hereby suspended."

The amendment was adopted.

Senator Westerfeld offered the following amendment to the bill:

Amend caption of S. B. No. 29, by adding after the words Travis County, Texas, in the twelfth line the following: "providing for seal of office."

The amendment was adopted.

On motion of Senator Burns, the bill was tabled subject to call.

House Concurrent Resolution No. 26

Senator Aikin called up H. C. R. No. 26 from the President's table, for further consideration at this time.

The President laid the resolution before the Senate.

Senator Holbrook offered the following amendment to the resolution:

Amend H. C. R. No. 26 by adding before the last resolving clause a new Section reading as follows:

It is the intention of this Legislature in passing this resolution that "life insurance or burial insurance should be exempt by the Old Age Assistance Commission in computing the financial worth of an applicant up to and including the sum of \$500.00 representing the cash surrender value or amount of paid up insurance in order that said applicant may have sufficient funds with which to pay expenses of last illness and burial."

SPEARS,
HOLBROOK.

Senator Sulak offered the following amendment to the amendment:

Amend Holbrook amendment by striking out words and figures \$500.00 and insert in lieu thereof \$750.00.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The resolution as amended then was adopted.

House Bill No. 12 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, Senate Rules 31a and 48 were suspended severally to permit consideration of H. B. No. 12 at this time.

The President laid before the Senate, on its second reading and passage to third reading:

H. B. No. 12, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; etc., and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 12 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. From and after the effective date of S. B. No. 1, passed at the First Called Session of the Forty-fifth Legislature, subject to the provisions herein set forth, the Commissioner of Agriculture of the State of Texas is hereby directed and authorized to distribute throughout the State of Texas, in a manner deemed to be advisable by him, the jacks and stallions purchased by the State of Texas under the terms and provisions of Acts of the Regular Session, Forty-third Legislature, Chapter 163, page 433, as amended by Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32. And said Commissioner of Agriculture is further directed and authorized to name some suitable person experienced in the handling of jacks and stallions as caretaker of such jack or stallion.

The Commissioner of Agriculture

shall adopt and carry out reasonable rules and regulations with respect to the distribution, care, use and maintenance of such animals. Provided further that the title of all such jacks and stallions hereinbefore mentioned shall be and remain in the State of Texas. Provided further that in the event the Commissioner of Agriculture is unable to place any of such animals as hereinabove provided, due in any manner to defects or unfitness for breeding purposes, then the Commissioner of Agriculture is hereby authorized and directed to turn such animals over to the State Board of Control, who shall dispose of same to the best interest of the State.

Before any of the jacks or stallions are distributed and allocated as herein provided, the Commissioner of Agriculture shall allocate and tender to the Texas Prison System three jacks, one draught stallion, and one saddle-gaited stallion and after said jacks and stallions have been accepted by the Texas Prison Board, the Commissioner of Agriculture shall hereafter exercise no control or management over such animals. Such animals shall thereafter remain and be the property of the Texas Prison System for its uses and purposes, and said jacks and stallions are to be selected by the Commissioner of Agriculture and general manager of the Texas Prison System from those jacks and stallions now owned by the State of Texas under the provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature. And all expenses incurred by the Commissioner of Agriculture in delivering said jack and stallions to the Texas Prison System shall be borne by said System.

Sec. 1a. It shall be the duty of the Commissioner of Agriculture to allocate such jacks and stallions in certain counties where there is most need shown; such need to be determined by the County Commissioners of such county and approved by the Commissioner of Agriculture, preference being given to such counties in which there is now located no such jack or stallion.

Sec. 2. All expenditures hereby authorized shall be paid upon accounts approved by the Commissioner of Agriculture and warrants drawn by the Comptroller on the State

Treasury, and payable out of any special funds belonging to the State Department of Agriculture, or any funds remaining unused, as herein provided and belonging to any part of the Chapter herein and hereby repealed.

Sec. 3. A fee of Seven & 50/100 (\$7.50) Dollars shall be collected by such caretaker at the time of the first breeding, provided if rebreeding is required to produce a foal, then this rebreeding must be within the calendar year. Said caretaker shall retain eighty (80%) per cent of all breeding fees collected by him as his full pay for care, feeding, and otherwise attending to said jack and stallion, and he shall remit to the Commissioner of Agriculture the remaining twenty (20%) per cent of such breeding fees on the first (1st) and fifteenth (15th) of each month. The said twenty (20%) per cent of such breeding fees shall be received by the Commissioner of Agriculture and shall be deposited by him in the State Treasury, where it shall be set up as a "Special Jack and Stallion Fund" to be used by the Commissioner in paying the salary of a Chief Supervisor of the Jack and Stallion Division and for all other necessary expenses incurred in connection with this Act.

Sec. 4. Any and all moneys on deposit in the State Treasury to the credit of the Special Racing Fund shall be held for and disbursed thus, viz:

An amount equal to twenty-five (25%) per cent of the funds in the Special Racing Fund shall, by the State Treasurer of the State of Texas, be paid into and credited to the State Available School Fund of Texas as provided by the Constitution of Texas.

Sec. 5. All moneys now on hand and accruing to the Jack and Stallion Account under H. B. 779, Acts of the 44th Legislature, Regular Session, and amended by H. B. 8, Chapter 495, 44th Legislature, 3rd Called Session, are hereby transferred to the Special Jack and Stallion Fund to be used by the Commissioner of Agriculture for making refunds on breedings heretofore reported in conformity with refunding provisions of H. B. 779, Acts of the Regular Session of the 44th Legislature, and for the payment of all other expenses incurred in the ad-

ministration of this Act, subject to the biennial appropriation for the year ending August 31, 1939. The State Comptroller and the State Treasurer are hereby authorized and directed to make such transfers.

After transferring from said Special Racing Fund the said twenty-five (25%) per cent going to the State Available School Fund and after transferring from said Special Racing Fund all moneys on hand and accruing to the Special Jack and Stallion Fund, the balance then remaining in said Special Racing Fund until it becomes exhausted, shall be used for the payment of the appropriations by the Legislature for the support and maintenance of the State Department of Agriculture as said appropriations for the Department shall be fixed and allowed by the Legislature of the State of Texas from time to time. It is the intent of the Legislature hereby that the above distribution shall immediately be made and the money so transferred shall become available now and for any and all appropriations made by the Regular Session of the 45th Legislature for the support and maintenance of the State Department of Agriculture and that the General Revenue Fund shall not be drawn on until all moneys in the Special Racing Fund shall become exhausted, and all unexpended balances remaining on hand, at the end of the current biennium ending August 31, 1937, shall be carried over in the succeeding biennium to the use and benefit of the said State Department of Agriculture, as provided by law.

Sec. 6. The fact that a Special Session of the Forty-fifth Legislature is now in session to consider the provisions set forth hereinabove, creates an emergency and an imperative public necessity that the Constitutional Rule providing a bill to be read on three (3) several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall have effect and be in force from and after its passage, and it is so enacted.

(Senator Rawlings in the Chair.)

Senator Oneal offered the following amendment to the amendment:

Amend amendment to H. B. No. 12 by striking out Section 1a and inserting in lieu thereof the following:

"Sec. 1a. It shall be the duty of the Commissioner of Agriculture to allocate such jacks and stallions to those counties most in need of the same, giving preference to those counties in which no such jack or stallion is now located."

Yeas and nays were demanded, and the amendment to the amendment was lost by the following vote:

Yeas—8

Atkin	Oneal
Beck	Westerfeld
Neal	Winfield
Newton	Woodruff

Nays—13

Brownlee	Moore
Burns	Pace
Collie	Rawlings
Cotten	Roberts
Holbrook	Shivers
Isbell	Sulak
Lemens	

Present—Not Voting

Van Zandt

Absent

Davis	Small
Hill	Stone

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

Senator Woodruff offered the following substitute for the amendment:

Amend H. B. No. 12 by substituting for the pending amendment by the Senator from Grayson County the following:

Amend H. B. No. 12 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. As soon as practicable after the effective date hereof the Commissioner of Agriculture shall sell, or cause to be sold, at public outcry to the highest and best bidder for cash at the court house door of the county wherein is located any jack or stallion owned by the State, all such animals so owned and located. The proceeds of such sale shall be forthwith transmitted to and deposited in the State Treasury to

the credit of the General Fund. The purchaser of any such animal, as a part of the consideration for such purchase, shall enter into a written contract with the State of Texas, stipulating that such animal shall not be removed from the State within three (3) years from and after date of sale. Breach of such contract shall forfeit title to such animal to the State of Texas as liquidated damages.

Senator Pace offered the following amendment to the substitute:

Amend Woodruff amendment by striking last sentence thereof and substituting

"The purchaser of such jack or stallion at the time of sale shall enter into his bond with two or more good and sufficient sureties in a sum equal to sale price conditioned that said animal shall not be removed from Texas for a period of three (3) years, said bond to be made payable to the State of Texas."

Yeas and nays were demanded, and the amendment to the substitute was adopted by the following vote:

Yeas—21

Atkin	Oneal
Beck	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff
Newton	

Nays—3

Brownlee	Sulak
Holbrook	

Absent

Hill	Stone
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Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

Senator Pace offered the following amendment to the substitute:

Amend the Woodruff substitute by adding at the end of the Pace amendment thereto the following:

"Said bond shall be subject to approval by the Commissioner of Agriculture of the State of Texas."

The amendment to the substitute was adopted.

Senator Sulak moved to table the substitute as amended.

Senator Moore moved the previous question on the motion to table, on the pending amendments and the passage of the bill to third reading, and the main question was ordered.

Question then first recurring on the motion of Senator Sulak to table the substitute of Senator Woodruff, as amended, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—16

Béck	Neal
Brownlee	Oneal
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Sulak
Holbrook	Van Zandt
Lemens	Westerfeld

Nays—6

Aikin	Rawlings
Isbell	Winfield
Newton	Woodruff

Absent

Hill	Stone
Pace	

Absent—Excused

Head	Redditt
Nelson	Spears

Paired

Senator Moore (present) who would vote "nay," with Senator Weinert (absent) who would vote "yea."

Question—Shall the amendment of Senator Van Zandt be adopted?

Senator Sulak, by unanimous consent, offered the following amendment to the amendment:

Amend Van Zandt amendment by adding at the end of Section 3 the following:

"Provided that the administration expense shall never exceed the 20%

herein provided for, and provided further that the salary of the supervisor shall not exceed \$200.00 per month."

(President in the Chair.)

Senator Collie, by unanimous consent, offered the following substitute for the amendment to the amendment:

Amend the amendment by adding at the end of Section 3 thereof the following:

"Said caretaker shall be required to enter into a contract in which he shall agree and be bound to accept the eighty (80%) per cent of all breeding fees to be retained by him as full compensation for the feeding, care and breeding of said jack or stallion, and the State of Texas or the Special Racing Fund shall not be charged, liable or responsible for any expenses incurred in the feeding, care, keep or maintenance of said animal. Provided further, that the expenses of maintenance of this division and for the supervision of the animals by the Department of Agriculture shall never exceed the twenty (20%) per cent of the breeding fees received from the caretaker. And said caretaker shall make and enter into a bond in the penal sum of One Thousand Dollars, payable to the State of Texas, to be approved by the Commissioner of Agriculture, conditioned that he will remit all fees to the Commissioner of Agriculture provided for in said contract."

Yeas and nays were demanded, and the substitute for the amendment to the amendment was adopted by the following vote:

Yeas—14

Aikin	Lemens
Beck	Newton
Burns	Oneal
Collie	Pâte
Cotten	Van Zandt
Davis	Westerfeld
Isbell	Winfield

Nays—9

Brownlee	Shivers
Holbrook	Stone
Moore	Sulak
Neal	Woodruff
Röberts	

Absent		Neal	Van Zandt
Hill	Small	Oneal	Westerfeld
Rawlings		Roberts	Woodruff
Absent—Excused		Sulak	
Head	Spears	Nays—10	
Nelson	Weinert	Aikin	Newton
Redditt		Brownlee	Pace
The amendment to the amendment as substituted then was adopted.		Davis	Rawlings
Senator Collie moved to reconsider the vote by which the main question on the pending amendments and the passage of the bill to third reading was ordered.		Isbell	Stone
Senator Moore moved to table the motion to reconsider.		Moore	Winfield
Yeas and nays were demanded, and the motion to table prevailed by the following vote:		Absent	
Yeas—13		Hill	Small
Beck	Newton	Shivers	
Brownlee	Pace	Absent—Excused	
Burns	Rawlings	Head	Spears
Cotten	Shivers	Nelson	Weinert
Holbrook	Sulak	Redditt	
Moore	Winfield	Motion to Suspend Constitutional Rule	
Neal		Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 12 be placed on its third reading and final passage.	
Nays—11		The motion was lost by the following vote (not receiving the necessary four-fifths vote):	
Aikin	Roberts	Yeas—12	
Collie	Stone	Beck	Lemens
Davis	Van Zandt	Burns	Neal
Isbell	Westerfeld	Collie	Roberts
Lemens	Woodruff	Cotten	Sulak
Oneal		Holbrook	Van Zandt
Absent		Isbell	Woodruff
Hill	Small	Nays—9	
Absent—Excused		Aikin	Oneal
Head	Spears	Brownlee	Rawlings
Nelson	Weinert	Davis	Westerfeld
Redditt		Moore	Winfield
Question next recurring on the amendment of Senator Van Zandt, as amended, it was adopted.		Newton	
Question then recurring on the passage of the bill to third reading, yeas and nays were demanded.		Present—Not Voting	
The bill was passed to third reading by the following vote:		Pace	
Yeas—13		Absent	
Beck	Cotten	Hill	Small
Burns	Holbrook	Shivers	Stone
Collie	Lemens	Absent—Excused	
		Head	Spears
		Nelson	Weinert
		Redditt	

Senate Bill No. 29 on Passage to Engrossment

Senator Westerfeld called up S. B. No. 29 from the President's table for further consideration at this time; the bill having been read second time and tabled subject to call today.

The President laid the bill before the Senate, on its passage to engrossment.

Senator Westerfeld offered the following amendment to the bill:

Amend S. B. No. 29, page 2, line 6, from the bottom, by striking out from the word "Four," in line 6, from bottom to and through the word "therefrom," and substitute in lieu thereof the following:

"And said field men shall have served in the active military, naval, or other armed forces or nurses corps of the United States sometime during the period between April 6, 1917, and November 11, 1918, or between April 24, 1898, and July 4, 1902, and have been honorably discharged therefrom."

The amendment was adopted.

The bill then was passed to engrossment.

Senate Bill No. 29 on Third Reading

Senator Westerfeld moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff

Absent—Excused

Head	Spears
Nelson	Weinert
Redditt	

Messages From the House

A Clerk from the House was recognized to present the following messages:

Hall of the House of Representatives,
Austin, Texas, June 23, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that

The House has adopted the Conference Committee report on S. B. No. 10 by a vote of 122 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 23, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 27, Interpreting the legislative intent in regard to the residential requirements in the Old Age Assistance Law.

H. C. R. No. 28, Requesting the Federal Communications Commission to increase the allotment of power to radio station KGKL in San Angelo, Texas.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled resolutions:

H. C. R. No. 3, Granting R. F. Davis of El Paso County permission to sue the University of Texas.

H. C. R. No. 8, Granting H. J. Birdsong permission to sue the State.

S. C. R. No. 6, Expressing intent of Legislature with reference to appropriations for North Texas Agricultural College.

S. C. R. No. 7, Relative to housing of archives.

H. C. R. No. 19, Granting H. H. Friar permission to sue the State.

H. C. R. No. 20, Granting H. S. Wilde of Muenster, Cooke County, Texas, permission to sue the State of Texas.

House Concurrent Resolution No. 28

The President laid before the Senate the following resolution, received from the House today:

H. C. R. No. 28, Requesting the Federal Communications Commission to increase the allotment of power to radio station KGKL in San Angelo, Texas.

The resolution was read.

On motion of Senator Davis and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was suspended, and the resolution was considered at this time.

The resolution was adopted.

House Concurrent Resolution No. 27

The President laid before the Senate the following resolution, received from the House today.

H. C. R. No. 27, Relating to eligibility of applicants for old age assistance.

On motion of Senator Sulak and by unanimous consent, the Senate rule requiring concurrent resolutions to be referred to a committee was suspended and the resolution was considered at this time.

The resolution was adopted.

Adjournment

On motion of Senator Moore, the Senate, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX**Reports of Standing Committees**

Committee Room,

Austin, Texas, June 22, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 12, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the Special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; providing for the disposition of all defective or unfit animals by the Board of Control; providing for the placing of jacks and stallions with institutions of higher learning teaching animal husbandry; providing for written applications for animals to be filed by the commissioners' courts; providing for placing of animals with the State Penitentiary System; providing for apportionment of all funds now on hand and to the credit of the Special Racing Fund; providing a saving clause; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WOODRUFF, Vice-Chairman.

Committee Room,

Austin, Texas, June 23, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bills Nos. 28, 26 and 24 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, June 22, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bills Nos. 13 and 9 carefully examined

and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, June 22, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had Senate Concurrent Resolutions Nos 6 and 7 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

SIXTEENTH DAY

(Thursday, June 24, 1937)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Small
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Moore	Winfield
Neal	Woodruff
Nelson	

The following Senators were absent and excused:

Head	Spears
Shivers	Weinert

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Roberts.

Leaves of Absence

Senator Head was granted leave of absence for today and the remainder of the week on account of illness, on motion of Senator Collie.

Senators Weinert and Shivers were granted leaves of absence for today, on account of important business, on motion of Senator Burns.

House Bill No. 12 on Third Reading

The President laid the bill before the Senate on its third reading and final passage:

H. B. No. 12, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the Special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; etc., and declaring an emergency."

The bill was read third time.

On motion of Senator Van Zandt and by unanimous consent, it was ordered that the caption of the bill be amended to conform to the body of the bill as passed to engrossment.

The bill then was passed by the following vote:

Yeas—18

Beck	Newton
Brownlee	Oneal
Collie	Redditt
Cotten	Roberts
Davis	Small
Holbrook	Stone
Lemens	Sulak
Neal	Van Zandt
Nelson	Woodruff

Nays—7

Aikin	Rawlings
Isbell	Westerfeld
Moore	Winfield
Pace	

Absent

Burns	Hill
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Absent—Excused

Head	Spears
Shivers	Weinert

Report on Bill to Reorganize Judicial Branch of the Federal Government

Senator Moore, by unanimous consent, submitted at this time a copy of the report of the Judiciary Committee of the United States Senate on